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SECOND: That the said David M. Barrick, by his Last Will and Testament duly probated, admitted to record and recorded in Liber S.D.T. No. 1, folio 533, one of the Will Records of the Office of the Register of Wills for Frederick County, devised as part of the rest and residue of his estate the above described lots and parcels of land unto his son, William D. Barrick, as follows:

"To have and to hold during his natural life only, and at his death to be equally divided among the wife and children of my said son, William D. Barrick, in equal portions, share and share alike.",

all of which will more fully appear by certified copy of the said Last Will and Testament of the said David M. Barrick herewith filed and marked "Exhibit D."

THIRD: That the said William D. Barrick, father of your Complainant and son of the said David M. Barrick, departed this life intestate on or about the 23rd day of February, 1950, predeceased by his wife, Mamie A. Barrick, who died intestate on or about the 8th day of August, 1937, and also predeceased by one daughter, Kathleen R. Smith, who died testate without issue on or about the 7th day of November, 1947 and by whose Last Will and Testament duly probated, admitted to record and recorded in Liber R.L.L. No. 2, folio 513, one of the Will Records in the office of the Register of Wills for Frederick County, H. Kieffer DeLauter was duly constituted and appointed Executor, a copy of which said will is filed herewith and marked "Exhibit E."

FOURTH: That the said William D. Barrick who departed this life as aforesaid, was survived by your Complainant, who is unmarried, and by one daughter, Lillian A. Riggs, whose husband is Ralph W. Riggs, both residents of Frederick County, Maryland.

FIFTH: That by virtue of the Last Will and Testament of David M. Barrick, the said real estate hereinabove described vested in equal shares as tenants in common in the said Mamie A. Barrick, Kathleen R. Smith, Lillian A. Riggs and your Complainant, subject to a life estate in the said William D. Barrick.